

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE, NASHVILLE DIVISION**

**CHELSIE NITSCHKE and CYNTHIA  
GEORGE,**

**Plaintiffs,**

**v.**

**VILLAGES AT FOREST VIEW, LLC; VFV  
PARTNERS, LLC; HOSTETTLER,  
NEUHOFF & DAVIS, LLC d/b/a HND  
REALTY, LLC; BERNARD L. WEINSTEIN  
D/B/A BERNARD L. WEINSTEIN &  
ASSOCIATES; BERNARD L. WEINSTEIN &  
ASSOCIATES, LLC; AND BACAR  
CONSTRUCTORS, INC.**

**Defendants.**

**No.: 3:24-cv-01342**

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**DEFENDANTS' JOINT MOTION TO AMEND CASE MANAGEMENT ORDER**

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Defendants Villages At Forest View, LLC, VFV Partners, LLC, Hostettler, Neuhoﬀ & Davis, LLC d/b/a HND Realty, LLC, Bernard L. Weinstein d/b/a Bernard L. Weinstein & Associates, Bernard L. Weinstein & Associates, LLC, and BACAR Constructors, Inc. hereby jointly move to amend scheduling deadlines set forth in the Initial Case Management Order as follows:

	<u>Current Deadlines</u>	<u>New Deadlines</u>
Initial Disclosures	January 24, 2025	
Plaintiffs' Expert Disclosures	February 28, 2025	
Amend or Add Parties	April 14, 2025	
Serve All Written Discovery	May 23, 2025	
Joint Status/Case Resolution Report	September 5, 2025	<i>October 31, 2025</i>

Written Discovery & Fact Witness Depos.	August 8, 2025	<i>October 15, 2025</i>
Discovery Related Motions	August 1, 2025	<i>October 1, 2025</i>
Defendants' Expert Disclosures	August 1, 2025	
Complete Expert Depositions	August 8, 2025	<i>November 3, 2025</i>
Dispositive Motions	September 12, 2025	<i>December 8, 2025</i>
Trial	April 21, 2026	

In support of this Motion, the Parties state that Plaintiffs filed this lawsuit on November 12, 2024. On March 17, 2025, Plaintiffs amended the Complaint to add Defendants Bernard L. Weinstein d/b/a Bernard L. Weinstein & Associates, Bernard L. Weinstein & Associates, LLC (collectively, "Weinstein Defendants") and BACAR Constructors, Inc. ("BACAR"). On or about March 25, 2025, summons were issued to BACAR and Weinstein Defendants. Neither BACAR nor Weinstein Defendants were party to the Court's Initial Case Management Order.

By Motion for Extension to Complete Discovery, BACAR and Weinstein Defendants requested, and were granted, an extension to disclose their experts by August 1, 2025. Disclosure of this additional report is crucial to the Parties' ability to conduct and complete discovery (written and depositions). Further, upon disclosure of this report, the Parties will have sufficient information to make a good faith effort at resolving this matter in mediation. In light of the foregoing, the Parties respectfully request extensions of the aforementioned deadlines.

This is the Defendants' first joint request to amend scheduling deadlines, and the requested extensions will still conform to the requirements of Local Rule 16.01(h)(1). Specifically, no dispositive motion, including response and replies, will be filed later than 90 days in advance of the April 21, 2026 trial date.

Counsel has submitted the requested modifications to Plaintiffs' counsel for consent and has not yet received a response.

Respectfully submitted,

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*Attorneys for Defendants Bernard L. Weinstein d/b/a Bernard L. Weinstein & Associates and Bernard L. Weinstein & Associates, LLC*

## **CERTIFICATE OF SERVICE**

I hereby certify that a true and accurate copy of the foregoing has been served via the CM/ECF's electronic filing system on this 1st day of August 2025 upon:

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